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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/680,479	10/06/2000	Hidehiro Matsumoto	Q61026	8765

7590 11/22/2002

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EXAMINER

CHUONG, TRUC T

ART UNIT	PAPER NUMBER
2174	

DATE MAILED: 11/22/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/680,479

Applicant(s)

MATSUMOTO, HIDEHIRO

Examiner

Truc T Chuong

Art Unit

2174

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --***Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) Responsive to communication(s) filed on \_\_\_\_ .  
2a) This action is FINAL.                            2b) This action is non-final.  
3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) Claim(s) 1-21 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.  
5) Claim(s) \_\_\_\_ is/are allowed.  
6) Claim(s) 1-21 is/are rejected.  
7) Claim(s) \_\_\_\_ is/are objected to.  
8) Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

9) The specification is objected to by the Examiner.  
10) The drawing(s) filed on \_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
11) The proposed drawing correction filed on \_\_\_\_ is: a) approved b) disapproved by the Examiner.  
    If approved, corrected drawings are required in reply to this Office action.  
12) The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
    a) All    b) Some \* c) None of:  
        1. Certified copies of the priority documents have been received.  
        2. Certified copies of the priority documents have been received in Application No. \_\_\_\_ .  
        3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
    \* See the attached detailed Office action for a list of the certified copies not received.  
14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
    a) The translation of the foreign language provisional application has been received.  
15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

1) Notice of References Cited (PTO-892)  
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.

4) Interview Summary (PTO-413) Paper No(s). \_\_\_\_ .  
5) Notice of Informal Patent Application (PTO-152)  
6) Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-21 are rejected under 35 U.S.C. 102(b) as being anticipated by Pepe et al. (U.S. Patent No. 5,742,905).

As to claim 1, Pepe teaches a portable terminal system comprising:  
a server storing text contents (PCI server, col. 5 lines 54-67 and fig. 5, col. 8 lines 31-58 and fig. 5) which are supposed to be displayed at a display section of a portable terminal (PDA or subscriber, col. 5 lines 41-53, col. 7 lines 49-59 and fig. 4), and Pepe inherently shows help contents which show a method of utilizing said text contents because any PDA may also select the media format and serving network used to receive messages, which could be an email message with ~~z~~ commands to execute a task or a software in PDA, (col. 5 lines 62-64) by setting up a “subscriber profile” (col. 6 lines 11-27 and col. 7 lines 1-15); and

a portable terminal including a text browser (figs. 42 and 45, col. 36 lines 16-51) provided for use in perusing the text contents stored in said server (PCI server), and provided for use in perusing the help contents also stored in said server. Pepe’s PDA operation software is inherently provided a help browser (or other browsers such as:

phone browser, incoming call browser, and input/output browser, figs. 41-45) by creating or modifying the subscriber profile, which is stored in PCI server, as mention above.

As to claims 2 and 10, Pepe teaches a portable terminal includes a text browser provided for user in perusing text contents which are supposed to be displayed at a display section of the portable terminal, and help browser provided for use in perusing help contents which show a method of utilizing said text contents (The profile contain service related information for mapping services to subscribers (e.g. screening, routing, terminal selection by subscriber selected parameters, custom calling features, and the like), col. 7 lines 5-9 and col. 49-51).

As to claims 3 and 11, Pepe teaches a portable terminal further includes a judging means for judging whether a message inputted from outside belongs to a text message or a help message, and activates either said text browser or said help browser in accordance with a result of judgment by the judging mean (col. 14 lines 53-67 and col. 15 lines 1-15).

As to claims 4 and 12, Pepe's PDA would provide help browser outputs said help contents as text, voice, static images, moving images (col. 3 lines 46-50).

As to claims 5, 6, 7, 13, 14, and 15, Pepe's PDA would provide a plurality of switch keys for use operations for using said text contents, and switch-key controlling means for setting each of said plurality of switch keys to either an effective state or an ineffective state depending on the contents of said help contents (figs. 28-43).

As to claims 8, 9, 16, and 17, Pepe teaches that PDA could be a cellular phone and a pager (col. 5 lines 41-45) so the PDA can be set to the effective state, said switch-

key controlling means lights up light (or vibrates) emitting sections (or buttons) corresponding to the switch keys being set to the effective state.

As to claim 18, it is a method claim that corresponds to the product of claims 10-11. Note the rejections of claims 10-11 above.

As to claim 19, it is a method claim that corresponds to the product of claim 12.

Note the rejection of claim 12 above.

As to claim 20, it is a program product claim that corresponds to the product and method claims 10, 11, and 18. Note the rejections of claims 10, 11, and 18 above.

As to claim 21, it is a program product claim that corresponds to the product and method claims 12 and 19 above. Note the rejections of claims 12 and 19 above.

***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hickey et al. (U.S. Patent No. 5,889,516) teach portable terminal, wireless communication, and interact with network (cols. 2-5, 8 and figs. 1, 3, 10-31).

Iwata et al. (U.S. Patent No. 5,646,649) teach portable information terminal and input buttons (cols. 2-4 and 5-7, figs. 2, 4, and 7).

Koenck et al. (U.S. Patent No. 5,202,817) teach portable, hand-held data collection terminal unit and function keys (cols. 3-10, figs. 4-10).

Macor (U.S. Patent No. 5,841,849) teaches personal telecommunication device, display browser, and function keys (cols. 2-6, figs. 1-10).

Mendez et al. (U.S. Patent No. 5,961,590) teach PDA, laptop, and web browser (cols. 4-6).

Nazanin et al. (U.S. Patent No. 5,625,683) teach cellular phone (fig. 1).

Suzuki et al. (U.S. Patent No. 5,956,655) teach portable communication device, input keys, and a plurality of display (cols. 4-12, figs. 1, 2, and 28).

Taylor et al. (U.S. Patent No. 5,754,306) teach remote computer, text screen, and browser (cols. 2-10, 13-19 and figs. 4-23).

Tichy (U.S. Patent No. 5,517,574) teaches cellular phone housing and keys (fig. 4).

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Truc T Chuong whose telephone number is 703-305-5753. The examiner can normally be reached on M-F 8:30 - 6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L. Kincaid can be reached on 703-308-0640. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Truc T. Chuong

November 15, 2002

*Kristine Kincaid*  
**KRISTINE KINCAID**  
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